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Substitute for form 1449A/PTO INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

Complete if Known						
Serial – Control Number	09/773,303 - 90/005,892					
Filing Dates	01/31/2001 - 12/20/2000					
First Named Inventor	Larry M. Proctor					
Group Art Unit	1638					
Examiner Name	Amy Nelson					
Attorney Docket Number	19742/002					

(use as many sheets as necessary)

**U.S. PATENT DOCUMENTS** U.S. Patent Document Name of Patentee or Applicant Date of Publication of Pages, Columns, Lines, Where Relevant Cite No.1 Examiner of Cited Document Cited Document Passages or Relevant Initials \* MM-DD-YYYY Figures Appear (if known) AUN 1 5,707,927 Park et al. 01-13-1998

				FOREIGI	N PATENT DOCU	MENTS		
Examiner	Cite	For	eign Patent Do	ocument	Name of Patentee	Date of Publication of	Pages, Columns, Lines,	
Initials*	No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> ( <i>if known</i> )	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	Τ <sub>6</sub>
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Substitute for form 1449A/PTO Complete if Known 90/005,892 Serial - Control Number 09/773,303 INFORMATION DISCLOSURE 12/20/2000 Filing Dates 01/31/2001 STATEMENT BY APPLICANT First Named Inventor Larry M. Proctor Group Art Unit 1638 (use as many sheets as necessary) **Examiner Name** Amy Nelson

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS		
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2	
ATN 2		SALINAS P., RAFAEL A.; HERNANDEZ F., ALBERTO; NAVARRO S., FRANCISCO JAVIER; RODRIGUEZ C., FRANKLIN G.; Azufrado Peruano 87 y Azufrado Regional 87: Nuevas Variedades de Frijol Para el Estado de Sinaloa; October, 1989, 12 pages, Folleto Tecnico No. 5		
	3	English Translation of Cite No. 2		
	4	Application for Plant Variety Protection Certificate for Pod-Ners, L.L.C.; PVPO number 9700027; Larry M. Proctor - Inventor, Nevember 5, 1906; 20 pages (see particularly Exhibit B) ( N 24, 28, 1909)		
	5	SECRETARIA DE AGRICULTURA Y GANADERIA; Solicitud de Inscripcion en el Registro Nacional de Variedades de Plantas; 8 pages; Mexico		
	6	English Translation of Cite No. 5		
	7	Guia Para la Asistencia Tecnica Agricola: Area de Influencia del Campo Experimental; Inifap Produce; ISSN 1405-2896; Noviembre, 1997; 14 pages		
	8	English-Translation of Cite No7		
	9	HEDRICK, U. P.; Beans of New York; Volume 1 - Part II of Vegetables of New York; J. B. Lyon; New York, 1981; 110 pages (see particularly pages 74-85)		
	10	VAN SCHOONHOVEN, A. AND VOYSEST, O.; Common Beans: Research for Crop Improvement, CIAT; 981 pages; C-A-B Internatoinal; Wallingford Oxon - UK, 1991		
	11	ANDRADE, DR. HECTOR GUILLEN AND TAVERA, BIOL VICTOR MONTERO, Cir-Centro-Campo Experimental Valle de Mexico; Instituto Nacional de Investigaciones Forestales Agricolas y Pecuarias; Laboratorio de Marcadores Geneticos Moleculares: Lamagem: Huellas Geneticas de Dos Muestras de Grano de Frijol Comun; Diciembre de 1999; 8 pages		
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		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
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Aan	13	Declaration of Lorance L. Greentee, December 21, 2001	
ADN	14	ZIETKIEWICZ, EWA AND RAFALSKI, ANTONI AND LABUDA, DAMIAN; Genome Fingerprinting by Simple Sequence Repeat (SSR) – Anchored Polymerase Chain Reaction Amplification; November 19, 1993; Pages 176-183; Genomics 20; Academic Press	
ATH	15	Letter_to_Lisa-Mueller-from-Robert-Schroeder-plus-2-attachments-(3-pages)	
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				Group Art Unit	1638		
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Sheet	1	of	5	Attorney Docket Number	19742/002		

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	INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use as many sheets as necessary)				Filing Dates	01/31/2001 – 12/20/2000	
					First Named Inventor	Larry M. Proctor	
					Group Art Unit	1638	
					Examiner Name	Amy Nelson	
	Sheet	2	of	5	Attorney Docket Number	19742/002	

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ATH	1	COULIBALY S., et al.; AFLP Analysis of the phenetic organization and genetic diversity of <i>Vigna unguiculata</i> L. Walp. reveals extensive gene flow between wild and domesticated types; Theor. Appl. Genet., Vol. 104 (2002), pp. 358-366	
	2	QUEDRAOGO J.T. et al.; An Improved genetic linkage map for cowpea ( <i>Vigna unguiculata L.</i> ) Combining AFLP, RFLP and RAPD, biochemical markers, and biological resistance traits; Genome, Vol. 45 (2002), pp. 175-188, Canada	
	3	MIKLAS, P. N., et al.; QTL Conditioning Physiological Resistance and Avoidance to White Mold in Dry Bean; Crop Science, March-April 2001, Vol. 41, pp. 309-315	
	4	YU K., et al.; Integration of Simple Sequence Repeat (SSR) Markers Into a Molecular Linkage Map of Common Bean ( <i>Phaseolus vulgaris L.</i> ); The American Genetic Association, Vol. 91 (2000), pp. 429-434	
	5	PASQUET, R.S., et al.; Isozyme Diversity in Bambara Groundnut.; Crop Science, July-August 1999, Vol. 39 pp. 1228-1236	
	6	JOHNSON, W.C., et al.; Segregation for performance in recombinant inbred populations resulting from inter-gene pool crosses of common bean (Phaseolus vulgaris L.); Euphytica, Vol. 106 (1999), pp. 45-56, Netherlands	
	7	TSAI, S.M., et al.; QTL mapping for nodule number and common bacterial blight in <i>Phaseolus vulgaris</i> L.; Plant and Soil, Vol. 204 (1998), pp. 135-145, Netherlands	
	8	FREYRE, R., et al.; Towards an integrated linkage map of common bean. 4. Development of a core map and alignment of RFLP maps; Theor Appl Genet, Vol. 97 (1998), pp. 847-856	
	9	GEFFROY, V., et al.; A. family of LRR sequences at the <i>Co-2</i> locus for anthracnose resistance in <i>Phaseolus vulgaris</i> and its potential use in marker-assisted selection; Theor Appl Genet; Vol. 96 (1998), pp. 494-502	
ATN	10	MENENDEZ, C.M., et al.; A genetic linkage map of cowpea ( <i>Vigna unguiculata</i> ) developed from a cross between two inbred, domesticated lines; Theor Appl Genet, Vol. 95 (1997), pp. 1210-1217	

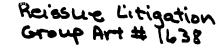
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STA	TEMENT B	Y API	PLICANT	First Named Inventor	Larry M. Proctor		
				Group Art Unit	1638		
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Sheet	3	of	5	Attorney Docket Number	19742/002		

ATN	11	JOHNSON, W.C., et al.; Association of a seed weight factor with the phaseolin seed storage protein, locus across genotypes, environments, and genomes in Phaseolus Vigna spp.: Sax (1923) revisited; <a href="http://www.ncgr.org/jag/papers96/papers96/saxp2.html">http://www.ncgr.org/jag/papers96/papers96/papers96/saxp2.html</a>	
	12	The yellow field bean called Mayacoba filed with CIAT under No. G13094; http://www.ars-grin.gov/npgs/acc/acc_queries.html	
	13	The yellow field bean called Mantequilla filed with CIAT under No. G02400, and in the United States Department of Agriculture under Plant Introduction No. Pl312090; http://www.ars-grin.gov/npgs/acc/acc_queries.html	
	14	The yellow field bean called II8FR-MO-5-3-M-2-1-M filed with CIAT-under-No-G22215; http://www.ars-grin.gov/npqs/acc/acc_queries.html	
	15	The yellow field bean called MO-85-86-2598-filed-with-CIAT under NO. G22227; http://www.are-grin:gov/npgs/acc/acc_queries.html	
	16	The yellow field bean called MO-85-86-2780 filed with CIAT-under No. G22230; http://www.ars-grin.gov/npgs/aed/acc_queries.html	
	17	The yellow field bean called Culiacan-11-57R-M-37-M-M filed with CIAT under No. G11891; http://www.ars-grin.gov/npgs/acc/acc_queries-html	
	18	Azufrado, CIAT bean-G91, USDA #PI150941;.http://www.ars-grin.gov/npgs/acc/acc_queries.html	
	19	Azufrado, CIAT bean-G817, USDA-#PH97689; http://www.ars-grin.gov/npgs/acc/acc-queries.html	
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	24	Azufrado, CIAT bean-G1824, USDA #PI309810; http://www.ars-grin.gov/npgs/acc/acc_queries.html	
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STAT	EMENT B	Y AI	PPLICANT	First Named Inventor	Larry M. Proctor	
				Group Art Unit	1638	
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Sheet	4	of	5	Attorney Docket Number	19742/002	

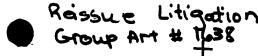
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		31	Azufrado_CJAT_bean_G2254_USDA.#PI311899; http://www.ars-grin.gov/npgs/acc/acc_queries.html*	
		32	Azufrado, CIAT bean-G2843, USDA #PI349649; http://www.ars-grin.goV/npgs/acc/acc_queries.html	
		33	Azufrado, CIAT bean-G2868, USDA-PI319678; http://www.ars-grin.gov/npgs/acc/acc_queries.html	
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		35	Azufrado, CIAT-bean-G3456; http://www.ars-grin.gov/npgs/acc/acc_quertes:html	
		36	Azufrado del Yaqui, CIAT bean-G2403, USDA-#PI312093; http://www.ars	
		37	Azufrado Boliot, CIAT bean-G2406, USDA #PI312096;,http://www.ers- grin.gov/npgs/ace/acc_queries.html	
		38	Azufrado del Rio, CIAT bean-G2251_USDA-#PI311896; http://www.ars- grin.gov/apes/acc/acc_queries.html	
		39	Azufrado de la <u>Sierra, CIAT bean-G2253=USDA #</u> Pi311898; <u>http://www.ars-grin-gow/apgs/acc/acc_queries.html</u>	
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				Group Art Unit	1638	
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ATN	41	Phaseolus-Vigna Genetics and Evolution; Gepts Lab – Publications, Updated-May-6, 2002; http://agronomy.ucdavis.edu/qepts/ref.html	
	42	BASSETT, MARK J. et al.; Classical and Molecular Genetic Studies of the Strong Greenish Yellow. Seedcoat Color in Wagenaar and 'Enola' Common Bean; American Society for Horticultural Science Online; http://www.ashs.org/search.asp	
	43	BASSETT, MARK J. et al.; Inheritance of Reverse Margo-Seedcoat Pattern and Allelism between the Genes J for Seedcoat Color and L for Partly Colored Seedcoat Pattern in Common Bean; American Society for Horticultural Science Online; http://www.ashs.org/search.asp	
ATT	44	BASSETT, MARK J. et al.; A Brief Review of the Genetics of Partly Colored Seed Coats in Common Bean; http://www.css.msu.edu/bic/reviewarticle.html	
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Application Number

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INIEO	DALATION	DIC	CLOCUDE	Application Number	Reex. Control No. 90/005892		
			CLOSURE	Filing Date	12/20/2000		
STATEMENT BY APPLICANT				First Named Inventor			
				Group Art Unit	1638		
(use as many sheets as necessary)				Examiner Name	Amy Nelson		
Sheet	1	of	1	Attorney Docket Number			

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of T <sup>2</sup> Cite Examiner the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue Initials \* No. number(s), publisher, city and/or country where published. BASSET, LEE, OTTO & MCLEAN, "Classical and Molecular Genetic Studies of the Strong Greenish Yellow Seedcoat Color in "Wagenaar" and "Enola" Common Bean", Journal of The American Society for Horticultural
Sciences, 2002, pp. 50-55, Vol. 127, No. 1, USA. ATH 1 2 NATIVE SEEDS- SEARCH, Seed listing, 1983. 3 NATIVE SEEDS- SEARCH, Seed listing, 1984. NATIVE SEEDS- SEARCH, Seed listing, 1987 (brochure). 5 NATIVE SEEDS- SEARCH, Seed listing, 1988. 6 NATIVE SEEDS- SEARCH, Seed listing, 1989. ATN 7 NATIVE SEEDS- SEARCH, Seed listing, 2002. ::2 

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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08B (02-03)

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Substitute for form 1449/PTO				Application Number	09/773,303	
INFORMATION DISCLOSURE				Filing Date	01-31-2001	
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				Art Unit	1638	
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Sheet	1	of	1	Attorney Docket Number,		

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ATN		SEROTA et al., Ex parte Fressola, 27 USPQ 2nd 1608, 1993 Pat. App. LEXIS 3, March 11, 1993.	
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Application Number 09/773,303 - 90/005, 892				
Filing Date	01/31/2001 - 12/20/2000			
, First Named Invergor	Larry M. Proctor	13)		
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Examiner Name	Amy Nelson	3		
Attorney Docket Number	19742/002			

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	2.	-Dectaration of David_1_Lee	
	3.	-Dectaration of Larry Proctor	
	4.	Declaration of Polly Proctor	
	5.	Brief in Support of Defendant's Motion to Compel Plaintiff to Produce Documents and Provide*Festimony Improperly Withheld Based on the Attorney Client Privilege and Work Product Doctrine	
	6.	Non-U.S. Supreme Court, Federal Reporter, Federal Supplement, and Federal Rules of Decision-Authority	
	7.	Declaration of Robert J. Brunner, in Support of Defendants' Motion to Compel Plaintiff to Respond to Requests for Documents and Testimony	
ATN	8.	Declaration of Jill Pietrini in Support of Defendants' Motion to Compel Plaintiff to Produce Documents and Provide Testimony Improperly Withheld on Attorney-Client Privilege and Work Product Doctrine	

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